

Remarks

Applicants have carefully reviewed the Office Action mailed on September 7, 2005. Applicants respectfully traverse all objections, rejections, and assertions made by the Examiner. Claims 1-27 remain pending.

Claims 1-27 are rejected under 35 U.S.C. §103(a) as being unpatentable over McCoy in U.S. Patent Pub. No. US 2003/0234243 A1 in view of Flanagan in U.S. Patent No. 6,696,667 and Shedlov in U.S. Patent No. 6,874,789. Under 35 U.S.C. §103(c), subject matter that qualifies as prior art under 35 U.S.C. §102(e) shall not preclude patentability under 35 U.S.C. §103(a) where the subject matter and the claimed invention were, at the time of invention was made, owned by the same person or subject to an obligation of assignment to the same person. In this case, Shedlov and Flanagan appear to qualify as prior art under 35 U.S.C. §102(e), if at all. Moreover, Shedlov, Flanagan and Applicants had a duty to assign to the same person. Accordingly, Shedlov and Flanagan are not available as a prior art references in support of a rejection under 35 U.S.C. §103(a). Turning now to the remaining reference, McCoy does not appear to disclose each and every claim limitation recited in the rejected claims. Therefore, the rejection of claims 1-27 under 35 U.S.C. §103(a) should be withdrawn in due course.

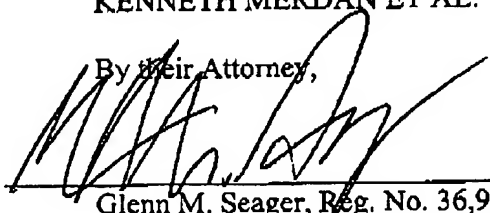
Reexamination and reconsideration are requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is also respectfully requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

KENNETH MERDAN ET AL.

By their Attorney,

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